

## Official Proceedings

September 3, 2019  
8:00 am

Chairman Zander called the meeting of the Stark County Board of Commissioners to order.  
All members present.

### Agenda

Chairman Zander asked for any changes to the agenda. Lakeview Estates was added.

**MOTION BY:** Commissioner Elkin      **SECOND BY:** Commissioner Franchuk

To approve the agenda with the changes.

**DISPOSITION:** Motion carried

### Minutes

The August 6, 2019 Board of County Commissioner's meeting minutes were presented.

**MOTION BY:** Commissioner Kuntz      **SECOND BY:** Commissioner Arthaud

To approve the August 6, 2019 Board of County Commissioner's meeting minutes as presented.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

### Accounts Payable

**MOTION BY:** Commissioner Kuntz      **SECOND BY:** Commissioner Elkin

To approve the accounts payable with the supplement as presented.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

**General:** \$559,134.69;

**10 Mill:** \$61,457.67;

**County Road:** \$449,701.89;

**Highway Tax Distribution:** \$173,800.27;

**Special Road & Bridge:** \$160,000.00;

**Social Welfare:** \$294,362.33;

**Capital Improvement:** \$6,237.06;

**County Jail:** \$158,853.71;

**VSO Fund:** \$11,939.61;

**County Agent:** \$26,457.45;

**Weed Control:** \$31,523.74;

**9-1-1:** \$26,998.97;

**OT Grant PHSPOP:** \$333.20;

**OT Grant PHSPID:** \$681.54;

**SW Victim Witness Program:** \$7,605.21;

**Hazardous Chemical Prep:** \$122.04;

**Siren Contingency:** \$350.06;

**24/7 Fund:** \$14,837.83;

**Other Reimbursements:** \$3,175.47;

**Judgement Execution:** \$200.00;

**911 Equipment:** \$3,122.42;

**Special Operations:** \$156.49;

**Sheriff Lee**

Sheriff Lee advised due to the holiday weekend and date, the monthly report was not ready for presentation. A request for Chaplain Zent was made to attend a chaplain conference in Bismarck.

**MOTION BY:** Commissioner Franchuk      **SECOND BY:** Commissioner Elkin

To approve the conference request for Chaplain Zent as presented.

**DISPOSITION:** Motion carried

Sheriff Lee discussed an alternative to department raises as an allocation of funding provided to the department head of whom would then decide what each employee would receive. Commissioner Elkin would like everyone to put thought into this process for the future.

Discussion was held regarding the County auction which will be at the end of September. Asset forfeiture item funds will need to go back to the appropriate account so those items will be tracked separately. The County is allowed to auction guns and will be treated as a private sale with the Sheriff's Department conducting appropriate background checks.

**Road Superintendent - Al Heiser**

Mr. Heiser provided his monthly report to include receiving three grant award projects, hauling gravel south of Gladstone, replacing old culverts, and discussion regarding the signage by the refinery.

Mr. Heiser also raised a concern with providing the full details of the Engineer's Report in the official minutes and requested this be summarized.

**MOTION BY:** Commissioner Elkin                      **SECOND BY:** Commissioner Kuntz

To summarize engineering reports in the meeting minutes.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

#### **County Engineer – Andrew Krebs**

Mr. Krebs provided the KLJ engineer's report for the Green River low water crossing, two structure replacements, and a chip seal project of paved roads west of Dickinson. In addition, Mr. Krebs reminded the Commission of the Association of Counties meeting on October 7<sup>th</sup> at 3:30 Central time.

#### **Verify Convention Registration**

Ms. Haag provided an overview of the North Dakota Association of Counties annual conference and confirmed the conference attendees for room reservations.

#### **Jeremy Wood**

Mr. Wood provided the Northern Plains engineer's report for two street projects and three bridge replacement projects. In addition the 30<sup>th</sup> Street project could qualify for additional funds and the NDDoT will place on the program sheet for Stark County.

#### **Zoning**

RZ 08-19 Chance and Megan Noyce are requesting a rezoning from Agriculture to Rural Residential on a property located in the E ½ of the NW ¼ of Section 10, Township 139, Range 97 containing approximately 5.01 acres. Planning and Zoning along with staff recommend approval.

**MOTION BY:** Commissioner Franchuk                      **SECOND BY:** Commissioner Arthaud

To approve the rezoning request as presented.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

RZ 09-19 Brad Wanner is requesting a rezoning on a property located at 10445 40<sup>th</sup> Street SW in the SW ¼ of the SW ¼ of the SE ¼ of Section 22, Township 139, Range 95 containing approximately 10 acres. Planning and Zoning along with staff recommend approval.

**MOTION BY:** Commissioner Franchuk                      **SECOND BY:** Commissioner Arthaud

To approve the rezoning request as presented.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

MSP 05-19 Brad Wanner is requesting a Minor Subdivision Plat of the Brad Wanner Subdivision located in the SW ¼ of the SW ¼ of the SE ¼ of Section 22, Township 139, Range 95 containing approximately 10 acres. Planning and Zoning along with staff recommend approval.

**MOTION BY:** Commissioner Franchuk                      **SECOND BY:** Commissioner Arthaud

To approve the Minor Subdivision Plat as presented.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

### **Mike Njos – Highland Engineering**

Mr. Njos provided the Highland engineer's report to include a bridge replacement and culvert replacement project.

### **Distractive Driving – Weed**

Ms. Krebs presented an amendment to the County distracted driving policy to include Attachment E which states "Weed Control Employees are allowed to operate mapping and spraying equipment when traveling 10 miles per hour or less."

**MOTION BY:** Commissioner Kuntz                      **SECOND BY:** Commissioner Elkin

To approve the amended distracted driving policy as presented.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

### **Medical Certification – Road Dept.**

Mr. Heiser suggested medical certification for all Road Department drivers qualified for CDL to be certified. The certification would cost \$90.00 per employee. The recommendation was made that this be conducted every two years to follow the CDL certification timeframe. Mr. Henning's office will work on a policy change for presentation.

**MOTION BY:** Commissioner Kuntz                      **SECOND BY:** Commissioner Elkin

To proceed with the formation of the medical certification policy.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

### **Scull**

Mr. Cockeram provided a status update on the new Social Services combined building construction.

Jennifer with JLG Architects discussed moving the current sign location to a new proposed location. Discussion was also held regarding the building committee's authority to authorize expenditure of funds prior to coming before the full board.

**MOTION BY:** Commissioner Arthaud                      **SECOND BY:** Commissioner Elkin

To authorize the building committee up to \$5,000 in spending authority.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

Jennifer also discussed extending the public walkway approximately 300 feet with the additional cost coming out of the construction contingency.

### **Lakeview Estates**

Chairman Zander advised the basketball and tennis court in Lakeview Estates is deteriorating and needs to be addressed and it is possible this is a County park. Mr. Henning advised that some plats do have greenspace however this does not indicate this is the County's responsibility and could be the responsibility of the developer. Further research will need to be conducted for presentation at a future meeting.

### **Jordan Selinger – Playground**

Jordan Selinger presented on behalf of the Dickinson Area Community Foundation and provided an overview of the overall cost, donations received, and the City of Dickinson's

pledge towards the Friendship Park. Sarah Carlson provided an overview of the purpose of the park. It was advised that they meet with Ms. Heiser to further present this information to the Stark County Park Board.

### **Public Hearing – Budget Notice Rescheduled for Sept 17**

The public hearing on the 2020 Stark County budget has been set for September 17<sup>th</sup> and notice was provided that two Commissioners will be absent for this meeting. A possible date of September 24<sup>th</sup> was decided but would have to be published as a special meeting. Mr. Henning was asked to research if the public hearing could be held on the regular meeting date of October 1<sup>st</sup> as this is the date the 2020 budget also has to be adopted.

**MOTION BY:** Commissioner Elkin

**SECOND BY:** Commissioner Kuntz

To reschedule the budget public hearing to October 1<sup>st</sup> at 10am contingent upon legal requirements.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

Upon follow up, Mr. Henning advised there is an October deadline for the budget and therefore the previous motion should be withdrawn as the public hearing must take place prior to the October 1<sup>st</sup> adoption date. With a quorum still present on September 17<sup>th</sup>, the meeting will remain as published.

**MOTION BY:** Commissioner Elkin

**SECOND BY:** Commissioner Kuntz

To withdraw previous motion

### **DVRCC**

Darianne Johnson thanked the Commission for getting into the new facility and their support. A handout was provided with an overview of the Domestic Violence and Rape Crisis Center. Ms. Johnson submitted a request to raise the funding from \$17,500 to \$35,000 and continue to fund the second position that the County is currently funding. Chairman Zander requested the DVRCC financial statement similar to other agencies that have requested funding in the past.

### **Airport – Kelly Braun**

Mr. Braun advised the airport has finalized their budget and reviewed the budget with the Commission along with an overview of projects outlined in the budget with impacts according to funding changes. The Commission would like to wait to make any commitment until later in the year until it is known how the 2019 budget will end. Mr. Braun will be requesting additional funds from the City of Dickinson at this evening's City Commission meeting.

### **Gladstone Fire**

Terry Thiel from the Gladstone Fire Department Board provided an overview of the department's financials and future project plans for possible funding consideration.

### **Other**

Commissioner Kuntz requested an updated on the Dakota Helicopter's spill on Highway 10. Mr. Fahlsing advised he emailed the North Dakota Department of Environmental

Quality after the previous Commission meeting and received an out-of-office response and has yet to hear back. Will follow up again and keep the Commission informed as he receives information.

Commissioner Kuntz asked Mr. Henning about the Lefor complaint. Mr. Henning advised that a few individuals have contacted Mr. Josephson to follow up on this issue.

The following Miscellaneous Receipts were filed: General: \$96,030.16; County Road: \$69,028.13; Social Services: \$525.00; Capital Improvement: \$338,501.46; Weed Control: \$3,620.95; E-911 Fund: \$27,706.18; Fingerprint Station: \$5,254.00; OT Grant-PHSPOP: \$1,891.86; Estimate Tax: \$4,443.67; Victim Witness: \$23,494.26; Preservation Fee: \$1,746.00; 24/7 Fund: \$8,704.00; Other Reimbursements: \$911.10; Judgement Execution: \$200.00; 911 Equipment: \$6,801.44;

**MOTION BY:** Commissioner Kuntz

**SECOND BY:** Commissioner Arthaud

To adjourn the meeting.

**DISPOSITION:** Motion carried